

ENTERED

February 05, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MJ ACTION NO. 2:21-MJ-141
	§	
MARTIN IBARRA	§	


MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of the defendant pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

The evidence against the defendant meets the probable cause standard. Defendant is on parole for a felony offense. The most basic condition of parole is for the person on parole to be a law abiding person and to not commit new law violations. Because the evidence meets the probable cause standard, the defendant has shown he is either unwilling or incapable of complying with court ordered supervision. Additionally, the defendant has not been interviewed and there is currently no suitable release plan that has been presented to the Court. Further, defense counsel indicated he is investigating the issue of the defendant's competency. The Court makes no finding in that regard, but instructs counsel for both parties to file a motion for a competency evaluation if there is any question as to the defendant's competency. The findings and conclusions contained in the Pretrial Services Report are adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 5th day of February 2021.


Jason B. Libby
United States Magistrate Judge